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POOR QUALITY ORIGINAL

UNITED DISTRICT
COURT HOUSE FOR
THE SOUTHEASTERN
DISTRICT OF MICHIGAN

Case: 2:16-cv-10404
Judge: Cox, Sean F.
MJ: Stafford, Elizabeth A.
Filed: 02-03-2016 At 01:22 PM
PR EDWARDS ET AL V. MACOMB COUNTY J
AIL (NA)

DWAYNE EDWARDS,
CARIBE SANFORD,

et al.,

v.

MACOMB COUNTY JAIL,

both in their individual and official capacities!

PRISONER CIVIL RIGHTS
COMPLAINT PURSUANT TO
42 U.S.C.A. § 1983

Jurisdiction

NOW COMES, Petitioners pursuant to 42USCA 1983 and states that this Honorable Court has jurisdiction to hear this Complaint.

Petitioner(s) further states that they reserve the right to amend this Complaint to add exhibits, additional necessary pleadings, and respondent(s), with the courts permission.

Petitioner(s) request that this Honorable Court allows this pleading to be filed and excepted in Pro-Per in accordance with this Courts rules. Also to appoint Counsel to represent this matter due to petitioner(s) laymanship at law and their inability to access respondent(s) non-functional Law Library while in respondent(s) custody.

UNITED STATES DISTRICT COURT
COURTHOUSE FOR THE
SOUTHEASTERN DISTRICT
OF MICHIGAN

Dwayne Edwards,

Judge:

Shirley Sanford,

Case No:

Petitioner(s), et al.,

v.

MACOMB COUNTY JAIL,
Respondents.

STATEMENT OF FACTS

1. On or about 8/15/15 I was detained in the Macomb County Jail at which time I was denied complete and total access to the law library. Petitioner wrote a grievance to the jail on or about 10/12/15. Since that time I have spoken with jail officials. He stated that there were a total of letters written regarding this subject written and as soon as a slot becomes available it will be placed in the mail out. There multiple administrative on my behalf.

In attempt to buy time to gain access to the...
 I.L. once I finally was able to gain entry...
 It appears to me concluded that the new...
 ...was completely inadequate. All of the...
 ...entire books from...
 ...were missing, the vast majority...
 ...of the books present were missing pages...
 ...law librarian present to assist me in my...
 ...in essence, blocking...
 ...me from aid I was seeking in my own defense...
 ...constitutional rights.

...the political...
 ...the grain of...
 ...involved with the...
 ...to be placed: having...
 ...direct" came...
 ...procedures...
 ...proceeding...
 ...proceed.

2. N.J. does not provide an...
 ...according...
 ...delivered on a consistent...
 ...action.

Mail ~~MAY~~ be delivered once a week to the masses of which time once come to realize that the mail they are currently receiving is outdated approximately 10 days or better barring certain meritorious claims due to recent activities, severely and the method of communication with the outside world.

Date

1/2/16

Signed

Willie Sanford

UNITED STATES DISTRICT
COURTHOUSE FOR THE
SOUTHEASTERN DISTRICT
OF MICHIGAN

DWAYNE EDWARDS,

Judge:

CARIBE SANFORD,

Petitioner(s) et. al,

Case No:

V.

MACOMB COUNTY JAIL,

Respondents //

STATEMENT OF FACTS

1. On or about January 11, 2016, Petitioner was incarcerated in the Macomb County Jail.
2. On January 13, 2016, Petitioner sent a make-shift jail correspondence (AKA jailhouse kite) to jail administration requesting Access to the jail Law-Library. However, after 4 days Petitioner didn't receive a response.

3. Jan 18, 2016 Petitioner spoken with Deputy Olshon about L. Library access. He responded "Send another kite"; so I did that same day.

4. Jan 23, 2016 @ 8:30AM Petitioner was allowed L. Library access. Upon arrival to the Law-Library Petitioner found it so outdated it was "NON-FUNCTIONAL." There were pages missing from almost every book. Petitioner ask the Deputy could he be returned to his cell as the law-library is useless.

5. Petitioner wrote a make shift grievance regarding the ^①Law-Library access and its collections outdated non-functional, tore up, missing pages. This was done on Jan 23, 2016 and deposited in the jail mailbox.

6. To this current date no response has been recieved. Petitioners prison right have been violated as well as his Constitutional rights by the inadequate Law-Library and admin. refusal to update it so it can be functional.

^① All exhibit to above will be added Later.

7. Petitioner further states that Macomb County jail grievance procedure is inadequate and violates his due process rights as it is biased; there is no unbiased grievance coordinator nor any appellate process. "See Statement of Facts of above Petitioner Caribe Sanford"

Petitioner's efforts are stymied by the MCS grievance process, even further as staff has refused to provide petitioner with the grievance policy or operating policy in which they base their decisions on.

Jan 27, 2016

Dwayne Edwards
Dwayne Edwards
26409

-
- ② This court must apply appropriate law, and Constitutional violations to above issues.

RELIEF SOUGHT

Wherefore, Petitioners seek the following relief to the above complaint

Declaratory Injunctive Relief

1. Order Respondents to Comply to the state minimum Law Library requirements and update All materials
2. Order Respondents to develop S.O.P. that allows better Law Library access to prisoners,
3. Order Respondents to hire a Law Library Clerk also move Law Library to a larger area so it will hold more prisoners,
4. Order Respondents to provide prisoner (indigent) with adequate materials to prepare their pleadings so they can Comply with Court Rules,
5. Order Respondents appoint a separate and neutral grievance Coordinator,

6. Order Respondents to develop a appeal to the grievance process which will fair and unbiased,
7. Order Respondents to develop a indigent Legal mail process for prisoner pleadings.
8. Order Respondents to appoint someone to pick/ deliver the incoming mail everyday timely,

Compensatory Damages

1. Order Respondents to compensate Petitioners in the amount of 50,000 per issue above or as this Honorable deems appropriate

Punative Damages

Petitioner(s) are seeking 1.5 million dollars as to each issue above due to the longevity that Respondents have maintained these illegal violations.

Pursuant to this court's rule I swear that the above is true to the best of my information and belief,
Jan 27, 2016

Dwayne Edwards

Dwayne Edwards #26437
MACOMB County Jail
P.O. Box 2308
Mt. Clemens, MI 48043

U.S. District Court
233 W. Lafayette
Detroit, MI 48226
Attn: Clerk of the Court

Dear Clerk of the Court,

Please find enclosed the
following for filing with the
Honorable Court:

1. Prisoners Civil Rights Complaint Pursuant to 42USCA/1983,
2. NOTICE OF Hearing
3. Affidavit of Indigency

I do petition you that this Honorable
Court simply continue these filings as
yet to long as it can and without proper
materials to comply with court rules and
allow us to proceed.

Thank you in advance for your cooperation.

Respectfully submitted

D. Edwards

Name Dwayne Edwards Number 26404
Macomb County Jail
P.O. Box 2308
Mt. Clemens, MI 48043-23
This Mail Originated From A Correctional Institution

01 FEB 2016 PM 8

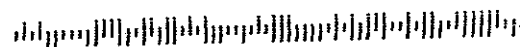


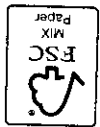
RECEIVED
FEB 03 2016
CLERK'S OFFICE
DETROIT

PS

U.S. District Court
Southeastern District
233 W. Lafayette
Detroit MI 48226
ATTN: Clerk of Court

48226270233





THIS ENVIRONMENTAL PAPER IS RECYCLED AND MADE WITH 100% POST CONSUMER WASTE

CIVIL COVER SHEET FOR PRISONER CASES

Case No. <u>16-10404</u>		Judge: <u>Sean F. Cox</u>		Magistrate Judge: <u>Elizabeth A. Stafford</u>	
Name of 1st Listed Plaintiff/Petitioner: Dwayne Edwards et al			Name of 1st Listed Defendant/Respondent: Macomb County Jail		
Inmate Number:			Additional Information:		
Plaintiff/Petitioner's Attorney and Address Information:					
Correctional Facility: Macomb County Jail P.O. Box 2308 Mt. Clemens, MI 48043					

BASIS OF JURISDICTION

- ☐ 2 U.S. Government Defendant
☒ 3 Federal Question

ORIGIN

- ☒ 1 Original Proceeding
☐ 5 Transferred from Another District Court
☐ Other:

NATURE OF SUIT

- ☐ 530 Habeas Corpus
☐ 540 Mandamus
☒ 550 Civil Rights
☐ 555 Prison Conditions

FEE STATUS

- ☐ IFP *In Forma Pauperis*
☐ PD Paid

PURSUANT TO LOCAL RULE 83.11**1. Is this a case that has been previously dismissed?**

- ☐ Yes ☒ No

➤ If yes, give the following information:

Court: _____
 Case No: _____
 Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

- ☐ Yes ☒ No

➤ If yes, give the following information:

Court: _____
 Case No: _____
 Judge: _____